

## **EXHIBIT I**



# Opinion: Election foul-ups compromise voter rights

November 14, 2012 by AMOL SINHA AND KARINA CLAUDIO /

Last week, **Long Islanders** showed their resilience and resolve by heading to the polls. Many had been displaced or lacked power and heat, yet over a million went to vote.



Unfortunately, the Suffolk County Board of Elections was not prepared to handle all the registered voters who came to cast their ballots.

Certain problems were expected due to Sandy — poll sites changed and communication was difficult. A last-minute executive order from Gov. **Andrew M. Cuomo** helped matters by allowing displaced Long **Islanders** to cast affidavit ballots in any poll site in the state, and Suffolk's elections officials did try to inform the public through postings and the media.

But communication was not especially effective, judging by the many voters that our organizations spoke to on Election Day who were confused about where to vote. Others went to their polling places, only to find a list of sites where their poll site might now be located. Had those voters not called hotlines — like the one staffed by our organizations and the Long Island Civic Engagement Table, a nonpartisan coalition to foster civic participation — they might not have been able to vote, or they might have cast an affidavit ballot that would not have counted for state and local races.

While Sandy created a difficult situation for voters and the elections officials, there were additional failures that had nothing to do with the storm and that require immediate rectification.

[advertisement](#) | [advertise on newsday](#)

On the eve of Election Day, the **Brennan Center for Justice**, a public interest group, sent letters to the Suffolk Board of Elections protesting its rejection of valid voter registrations lawfully completed through the **New York Department of Motor Vehicles'** online registration system.

The implications are vast. According to one elections official, 3,200 Suffolk residents registered this year using the online system, only to have their registrations disqualified because a software error made the voter signatures unreadable. While the board says it followed up with these voters, at least 500 people were not able to re-register and were potentially disenfranchised.

And as a reminder about why every vote counts, the State Assembly race between Assemb. Dean Murray (R-East Patchogue) and his Democratic challenger, Edward Hennessey, may be decided by as few as 36 votes.

**Callers** to our Election Day hotline also reported several incidents in which poll workers allegedly requested identification from newly registered voters without legal grounds to do so. New York State law only requires newly registered voters to present identification when they did not provide an identification number on their voter registration form. We were also told of poll workers in Wyandanch and Brentwood asking voters standing in line to have their IDs ready for inspection.

Identification requirements, which have made headlines in other states this year, disproportionately disenfranchise low-income, young, elderly, homeless and minority voters, who more frequently lack certain forms of ID. New York State has wisely refused to implement voter ID laws, and asking for identification frustrates this policy choice.

At **the very best**, such poll site problems reflect incompetence. Whatever the explanation, Suffolk County must begin an investigation into Election Day problems and the Board of Elections' failure to honor online voter registrations. If the investigation finds that the Board of Elections has failed to adequately train its staff on election law, jeopardizing residents' constitutional rights, it needs a makeover.

County Executive Steve Bellone's administration should demand that the board honor online voter registrations that meet state guidelines, and ensure that affidavit ballots submitted by these voters count.

Long Islanders came out in droves to exercise their right and responsibility to vote last Tuesday, despite the aftermath of superstorm Sandy. Suffolk County must take concrete steps to ensure that their commitment to democracy is honored.

*Amol Sinha is the director of the Suffolk County chapter of the New York Civil Liberties Union. Karina Claudio is an organizer for Make the Road New York, a participatory immigrant organization.*

[< back to article](#)